

**From:** John Dougan  
**To:** Microsoft ATR  
**Date:** 1/23/02 6:36pm  
**Subject:** Microsoft Settlement

Dear Sirs,

I write you to add my voice to the those opposing the current settlement proposal. As near as I can tell, it will have no perceptible effect on Microsoft's behavior, and violates the principles of transparency which are paramount in the Justice system. "Justice must not only be done, but it should be seen to be done."

The object of the settlement should be to reduce or eliminate the occurrence of illegal monopolistic behavior on the part of Microsoft, which should then make it possible for other corporations to enter the market without being blasted by the MS monopoly. The current proposal seems to be putting the cart before the horse, enforcing actions which should be the result of improved behavior by Microsoft. By being overly specific, this proposal leaves far too much room for Microsoft to engage in new infringing behavior.

The proposal also lets's Microsoft decide too many of the later details, such as the terms of the agreements the TC (Technical Comittee) has to sign, and the definition of a protoco (See the SAMBA projects objectionsfor details). This is an open invitation to Microsoft, who has abused such loopholes before.

The TC should be allowed to discuss the Committees actions with the public, without revealing MS trade secrets. However what constitutes an MS trade secret should be decided by a third party or the Trade Secrets acts and subjected to scrutiny.

What I would like to see as a result of this proceedings is a Microsoft competing on a leveled playing field. I don't want to see the company destroyed, though breaking it up into viable pieces would not bother me. Four pieces come to mind: Applications including the web browser, Services, Operating Systems, and Hardware. But that is incidental.

Please reconsider this dangerously flawed proposal.

Regards,  
--john dougan

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